

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BENNIE C. COX, :  
 :  
 Petitioner, :  
 :  
 vs. : CIVIL ACTION 04-00025-BH-B  
 :  
 JERRY FERRELL, :  
 :  
 Respondents. :  
 :  
 :

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is ORDERED that petitioner's action be dismissed with prejudice as time-barred.

DONE this 5<sup>th</sup> day of April, 2007.

s/ W. B. Hand  
SENIOR DISTRICT JUDGE